

HARRY ROSS HUBBARD

APRIL 26, 1926.—Committed to the Committee of the Whole House and ordered to be printed

Mr. SEARS of Nebraska, from the Committee on Claims, submitted the following

REPORT

[To accompany S. 869]

The Committee on Claims, to whom was referred the bill (S. 869) for the relief of Harry Ross Hubbard, having considered the same, report thereon with a recommendation that it do pass.

Attached herewith is Senate Report No. 276, which is made a part of this report.

[Senate Report No. 276, Sixty-ninth Congress, first session]

The Committee on Claims, to whom was referred the bill (S. 869) for the relief of Harry Ross Hubbard, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

A similar bill passed the Senate in the Sixty-eighth Congress.

The facts are fully set forth in Senate Report No. 401, Sixty-eighth Congress, first session, which is appended hereto and made a part of this report.

[Senate Report No. 401, Sixty-eighth Congress, first session]

The Committee on Claims, to whom was referred the bill (S. 336) for the relief of Harry Ross Hubbard, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The purpose of the bill is to authorize and direct the Comptroller General of the United States to credit the accounts of Harry Ross Hubbard, lieutenant (junior grade), United States Navy, with the sum of \$942.25.

The bill has the favorable recommendation of the Secretary of the Navy.

The facts in detail are fully set forth in the following correspondence, which is appended hereto and made a part of this report:

NAVY DEPARTMENT,  
Washington, February 27, 1923.

Hon. ARTHUR CAPPER,  
*Chairman Committee on Claims, United States Senate.*

MY DEAR MR. CHAIRMAN: Replying further to the committee's letter of December 12, 1922, inclosing a copy of a bill (S. 3719) for the relief of Harry Ross Hubbard, and requesting the views and recommendation of the department thereon, I have the honor to inform you as follows:

On January 21, 1920, Assistant Paymaster Harry Ross Hubbard, who held the rank of lieutenant (junior grade), U. S. N. R. F., reported a discrepancy in his accounts to the commander destroyer squadrons United States Pacific Fleet. This discrepancy had been discovered by Paymaster Hubbard during the month of December, 1919. A court of inquiry was ordered on February 23, 1920, by the commander destroyer squadrons United States Pacific Fleet to investigate and report all the facts and circumstances attendant to this discrepancy.

The court of inquiry found that there was in fact a discrepancy, or shortage, in the accounts of Paymaster Hubbard amounting to \$942.25; that Paymaster Hubbard was responsible for this shortage; that in the opinion of the court the money had been properly safeguarded, and that there was no criminality involved in causing the shortage; and the court recommended that no further action be taken pending a receipt of the audit by the Auditor for the Navy Department.

Paymaster Hubbard made the following statement before this court:  
 "On July 17, 1919, as supply officer of the U. S. S. *Aroostook*, I was ordered by commander mine detachment United States Pacific Fleet to additional duty as supply officer mine detachment United States Pacific Fleet, and to take up the accounts, both pay and G. S. K., of all small craft of the detachment. These accounts came from various supply officers of vessels and bases. Due to these vessels having been away from supply officers handling their accounts, bills from contractors furnishing them provisions and other supplies had not been paid for months; their pay accounts in some cases had not been on the rolls of any disbursing officer for a considerable period. Navy yards and supply bases forwarded to me invoices of equipment and supplies covering issues to over 30 mine sweepers and small craft. In addition to the craft attached to the mine detachment I was ordered by the fleet supply officer Pacific Fleet and destroyer squadrons commander to handle pay and provision accounts of vessels not attached to the mine detachment Pacific Fleet. These duties were assigned to me at a time when I was unprepared, both in equipment and personnel, to handle the work. Demobilization orders in effect released all my experienced office personnel, leaving me with only a pay clerk and inexperienced and unrated men to handle the accounts and disbursements. Additional time was requested and granted me to file my returns for the first quarter, 1920. During the first and second quarters, 1920, this vessel was detached from the mine detachment and ordered to duty as aircraft tender fleet air detachment Pacific Fleet. As no provision had been made for the small craft whose accounts I was carrying until November 30, 1919, both duties, supply officer mine detachment and fleet air detachment Pacific Fleet, had to be performed by me.

"Every effort to keep all records clear was made, but upon balancing cash in the month of December an error was detected. A thorough checking of all vouchers and records failed to disclose the error. On the 20th of January, 1920, report of the discrepancy, reference (a), was forwarded to the Auditor for the Navy Department, and a report, reference (b), was forwarded to the fleet supply officer on the following day, January 21, 1920."

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Paymaster Hubbard further stated that no funds had been improperly disbursed, that there had been no tampering with safes or funds, that he was satisfied that the difference in cash had been disbursed on proper vouchers, but that these vouchers had either been erroneously entered on his official records or had been included in his returns of the first quarter of 1920 without having been entered on his records, or that the vouchers had been lost, and in view of this he requested that an audit by the Auditor for the Navy Department be made of all his accounts during the year 1919. This audit was made and failed to disclose the whereabouts of the proper vouchers or that proper vouchers did in fact exist.

"The Bureau of Supplies and Accounts placed the following indorsements upon the record of the court of inquiry in the case of Paymaster Hubbard:

"The report of inspection of the accounts of Asst. Paymaster Harry R. Hubbard, N. R. F., shows that his accounts were kept in good order except for the shortage of \$942.25, but there is no evidence of any fraud or neglect of duty on the part of Paymaster Hubbard. His accounts with the Auditor for the Navy Department also disclose no evidence of fraud but merely the usual differences due to mistakes. It is accordingly believed that either money or vouchers to the amount of \$942.25, for which Paymaster Hubbard is accountable to the United States, have been lost.

"In view of the fact that Paymaster Hubbard will suffer a personal loss of \$942.25 in this connection, it is not believed that any further disciplinary action should be taken in his case, especially as it has been shown that the duties to which he was assigned were of a nature which required the services of a supply officer of considerable experience which Paymaster Hubbard did not have."

On March 17, 1922, the Bureau of Supplies and Accounts requested information as to whether or not Paymaster Hubbard was entitled to relief under the provisions of the act of July 11, 1919. The Secretary of the Navy replied that it appeared that the chief consideration for the department's decision not to take further action in this case was the fact that Paymaster Hubbard would personally lose the amount of the shortage, and therefore this officer was not now entitled to reimbursement under the said act.

Upon this case being again referred to the Bureau of Supplies and Accounts, the chief of that bureau placed the following indorsement thereon:

"Paymaster Hubbard has always been a most conscientious, scrupulous, and careful officer and, in the opinion of this bureau, the difficulties with which he had to contend in the performance of his duties, as explained by him before the court of inquiry, were such as greatly to increase the probability of loss despite the exercising of the utmost caution."

In view of the above statement of the Chief of the Bureau of Supplies and Accounts, the fact that no indication of fraud was discovered, and the further fact that Paymaster Hubbard was called upon to perform duties that taxed to the utmost his experience and qualifications, it is recommended that the bill (S. 3719) be enacted.

Sincerely yours,

EDWIN DENBY, *Secretary of the Navy.*

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UNITED STATES PACIFIC FLEET BATTLESHIP FORCE,  
U. S. S. "OKLAHOMA,"  
*At Sea, June 3, 1922.*

Senator T. J. WALSH,  
*Washington, D. C.*

MY DEAR SENATOR: With the consent of the Secretary of the Navy, contained in his letter dated May 20, 1922, copy inclosed, I am taking the liberty of asking your assistance in securing relief by Congress of a charge which has been raised against me by the Navy Department, Division of the General Accounting Office, of the sum of \$942.25, statement of differences, certificate No. N-1379-E of May 6, 1922, the circumstances attending which are as stated below:

This shortage first appeared while I was supply officer of the U. S. S. *Aroostook* in December, 1919, at which time I made an immediate report to my commanding officer, the fleet supply officer, Pacific Fleet, and in turn to the Bureau of Supplies and Accounts, Navy Department, Washington, D. C. An inspection of my accounts was made by Lieut. Commander P. J. Willett, Supply Corps, United States Navy, under orders of the fleet supply officer. A copy of Lieutenant Commander Willett's report is inclosed. This inspection failed to clear the deficit. A court of inquiry was convened on February 25, 1920, and recommended no action be taken until an audit of my returns could be made by the Auditor for the Navy Department. This audit also failed to clear the difference. Upon making final request for relief under the act of July 11, 1919, it is found this item can not be allowed. Now my only recourse is through special legislation.

On December 12, 1919, I was ordered by my commanding officer to turn over funds to cover necessary disbursements, while the *Aroostook* made a trip to San Francisco, Calif., to one of my pay clerks, a bonded man, who was left with a detail of officers and men on North Island, San Diego, Calif. The amount was covered by an ordinary official receipt. The following day, while at sea, I balanced accounts and found that I was short \$1,000. Upon arrival at San Francisco I took the matter up with the pay clerk by correspondence. He admitted having received the sum of \$1,000 in excess of the amount indicated on his receipt to me. Upon the return of the *Aroostook* to her base at San Diego, the clerk turned in to me vouchers covering his expenditures during my absence and the unexpended portion of the funds. The total of these two items equaled the amount specified on his receipt to me but failed to take into consideration the \$1,000 which he had admitted having received, not covered by the receipt. Upon asking him for an explanation of this condition, he informed me that his original admission must have been an error on his part; that the expenditure vouchers and cash he was then turning in to me represented the total amount I had supplied him. I had no proof that this was not the case, so could bring no charge against him. Although he admitted to me a violation of regulations in not keeping the money in an official safe on North Island, but had taken it home over night where members of his family had access to it, I could not bring him nor members of his family before the court as witnesses, as he had resigned in the meantime and had gone to New York to reside.

I have always felt his testimony would have been helpful in clearing the shortage.

I am inclosing a copy of a letter from myself to the Bureau of Supplies and Accounts, dated February 6, 1922, giving a history of my duties during the period from January 1, 1919, to March 31, 1920, as a disbursing officer. Also,

## HARRY ROSS HUBBARD

I am inclosing a copy of a letter to the same bureau written under date of April 17, 1922, requesting information as to the bureau's attitude toward my making this request.

Thanking you for your consideration, I beg to remain,  
Yours very sincerely,

H. R. HUBBARD,  
*Lieutenant (Junior Grade), Supply Corps, United States Navy.*

APRIL 17, 1922.

From: Lieut. (Junior Grade) H. R. Hubbard, S. C., United States Navy.  
To: Bureau of Supplies and Accounts.

Subject: Request information as to bureau's attitude toward contemplated request for relief legislation.

1. In view of the action taken by the department upon my request for relief from financial responsibility for the loss of \$942.25 under the circumstances referred to in my request of March 13, 1922, and which the bureau is familiar with, I am contemplating asking for relief legislation by Congress. Before doing so, however, in order to avoid possible embarrassment to the Senator through whom I would ask for such relief, I desire to know whether the bureau would lend its approval to such procedure, and, specifically, whether, if such bill be referred to it for comment, it would be in a position to recommend favorable action by Congress.

2. My inability, through no fault of my own, to bring witnesses before the court of inquiry, which I believe would have brought to light the person directly responsible for the loss of the sum in question, was undoubtedly the direct cause of the responsibility being placed upon me, and I feel that under the attendant circumstances favorable action by Congress would be nothing more than an act of justice.

H. R. HUBBARD.

Certified to be a true copy.

H. R. HUBBARD,  
*Lieutenant (Junior Grade), S. C., United States Navy.*

DEPARTMENT OF THE NAVY,  
*Washington, D. C., May 20, 1922.*

From: The Secretary of the Navy.

To: Lieut. (Junior Grade) H. R. Hubbard (S. C.), United States Navy, U. S. S. *Oklahoma*, United States Pacific Fleet.

Subject: Request for permission to have legislation introduced in Congress for your relief from financial responsibility for a shortage in your accounts of \$942.25.

Reference: Your letter of April 17, 1922, to Bureau of Supplies and Accounts, with inclosures.

1. Permission is hereby granted you to have a bill for your relief for the above purpose introduced in Congress. When such bill is referred to this department for its report thereon, it will receive every consideration which the merits of the case may warrant.

T. ROOSEVELT, *Acting.*

Certified a true copy:

H. R. HUBBARD,  
*Lieutenant (junior grade), S. C., United States Navy.*

U. S. S. "MELVILLE,"  
*San Diego, Calif., February 11, 1920.*

From: P. J. Willett, Lieutenant Commander, S. C., U. S. N.

To: Commander in Chief, United States Pacific Fleet.

Via: Commander destroyer squadrons United States Pacific Fleet.

Subject: Inspection of the accounts of U. S. S. *Aroostook*.

Reference: (a) Letter of Commander in Chief United States Pacific Fleet, No. 4071-40AC, dated January 28, 1920.

Inclosures: (3) Account current, *Aroostook*, first quarter, 1920; account current, *Aroostook*, second quarter, 1920; account current, *Aroostook*, third quarter, 1920; fractional, January 1 to 31, 1920.

1. In obedience to reference (a), I have this day finished the inspection of the accounts of the U. S. S. *Aroostook*, and find a shortage of \$942.25, according to records now available on board the U. S. S. *Aroostook*.



2. Certificate of "Cash on hand," as counted and signed by Lieut. E. R. Hancock (M. C.), United States Navy, on June 30, 1919, amounting to \$52,660.92, agrees with retained copy of account current for fourth quarter 1919, as filed in official records of Lieut. (Junior Grade) H. R. Hubbard, S. C., U. S. N. R. F.

3. All retained vouchers, including public bills, pay rolls, and cash book carried by the supply officer of the U. S. S. *Aroostook* from July 1, 1919, to January 31, 1920, were carefully checked and agree with inclosed accounts current. Original pay receipts, public bills, and other vouchers for the month of January, 1920, were checked and found correct.

4. The supply officer of the *Aroostook* states that during the first and second quarters, 1920, he was compelled to make disbursements under most unfavorable conditions with untrained and inexperienced personnel. He was ordered to pay public bills, take up, pay, and transfer officers and crews of small craft whose accounts were received in bad condition. He also paid officers and crews of vessels whose accounts were not carried by him. Under the circumstances it was possible for the shortage reported herein to have been properly disbursed, but the vouchers substantiating the disbursements forwarded to Auditor for the Navy Department without being entered in the retained official records of the supply officer of the *Aroostook*. It is therefore recommended that an immediate audit be made by the Auditor for the Navy Department of all returns already submitted by Lieut. (Junior Grade) H. R. Hubbard, S. C., U. S. N. R. F., for the U. S. S. *Aroostook*.

5. Inspection of gallery, bake shop, and storerooms: (a) Galley ranges and bake ovens in bad condition, and require immediate repairs or replacement.

(b) Ventilation of provision storeroom inadequate. Storeroom below waterline, and without cofferdam. Proper ventilating system should be installed.

(c) Storeroom No. 2 naval supply account stores, no ventilating, and below water line. Constantly wet.

(d) Storeroom No. 4, naval supply account stores; no ventilation. Storeroom dry.

(e) Clothing and small stores storeroom; no ventilation. Storeroom dry.

(f) Canteen storeroom; no ventilation. Water accumulates in this storeroom due to overflow of fresh-water tanks. No proper drainage provided for overflow of tanks.

6. The accounts of naval supply account stores, provisions, clothing, and small stores, and ship's store are being properly kept and were found up to date.

P. J. WILLETT.

Certified to be a true copy.

H. R. HUBBARD,  
*Lieutenant (Junior Grade) S. C., U. S. N.*

U. S. S. "OKLAHOMA,"  
*San Pedro, Calif., February 6, 1922.*

From: Lieut. (Junior Grade) Harry Ross Hubbard, Supply Corps, U. S. N.  
To: Bureau of Supplies and Accounts.

Via: Commander in chief United States Pacific Fleet; commander Battleship Squadron 4, United States Pacific Fleet; commander Battleship Division 6, United States Pacific Fleet; commanding officer.

Subject: History of duties as a disbursing officer during period January 1, 1919, to March 31, 1920.

Reference: (a) See naval letter 26509-263, dated November 10, 1919.

1. In accordance with the above reference the following history is submitted herewith:

"I was appointed an assistant paymaster with the rank of ensign in the Fleet Naval Reserve, class 1, United States Naval Reserve Force, October 16, 1918. My previous experience and instruction was under the supervision of Lieut. A. W. Barnes, Supply Corps, United States Navy, on board the U. S. S. *Rainbow*.

"On January 14, 1919, I was ordered to duty as supply officer on board the U. S. S. *Aroostook*. That vessel had just returned from foreign duty and practically the entire supply department was transferred, leaving me with only a chief yeoman as an assistant to conduct the activities of the department. I did not procure the services of a pay clerk until some three months thereafter.

"During the month of April, 1919, the *Aroostook* was ordered to duty as tender for the 'N. C.' seaplane division No. 1. Upon return from this duty to the United States the *Aroostook* was designated as flagship and supply for the mine detach-

ment of the Pacific Fleet. Upon arrival on the Pacific coast the *Aroostook* was detached from the mine detachment and ordered to duty as tender for the air detachment of the Pacific Fleet.

"In transferring the *Aroostook* from the mine detachment to the air detachment no provision was made for the relief of the supply officer as supply officer of the mine detachment. As a result of this I carried on the combined duties until November 17, 1919.

"During this period general demobilization was being conducted on all vessels carried on my rolls. My department was continually changing personnel, and at times competent help could not be obtained. Due to this inexperienced and inadequate assistance and undue volume and pressure of work mistakes could not be avoided. When my statements of differences did reach me the following year, the accounts effected had been closed for months and the men separated from the service, making recovery of the amounts involved impossible."

2. The above history is submitted in accordance with the requirements of the bureau and with the request that I be permitted to apply for relief in such amounts as it may be impossible for me to remove from my statements of differences.

H. R. HUBBARD.

[First indorsement]

U. S. S. "OKLAHOMA,"

Navy Yard, Puget Sound, Wash., February 7, 1922.

From: Commanding officer.

To: Commander battleship Division 6, U. S. Pacific Fleet.

1. Forwarded.

STEPHEN V. GRAHAM.

Certified to be a true copy.

H. R. HUBBARD,

Lieutenant (Junior Grade), S. C., U. S. N.

